

PATENT APPLICATION
PO-7979
LeA 36,396

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION OF)	
CHRISTOPH GÜRTLER ET AL)	GROUP NO.: 1796
SERIAL NUMBER: 10/784,018)	
FILED: FEBRUARY 20, 2004)	EXAMINER: B. GILLESPIE
TITLE: POLYURETHANE COATING SYSTEMS)	CONFIRMATION NO.: 2512

REPLY BRIEF

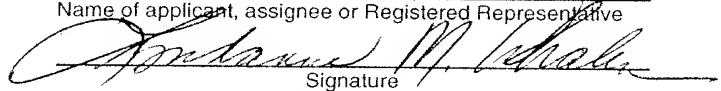
Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

The Examiner's Answer dated April 14, 2008 has been received and its contents noted. The following is in response thereto.

I hereby certify that this correspondence is being deposited
with the United States Patent Office by electronic mail on the
date shown below:

Lyndanne M. Whalen, Reg. No. 29,457
Name of applicant, assignee or Registered Representative


Signature
June 16, 2008
Date

REMARKS

Appellants are claiming polyurethane-based one-component baking systems which must include a compound of molybdenum and/or tungsten.

The Examiner has conceded that Watanabe does not teach a polyurethane-based system containing a compound of molybdenum and/or tungsten.

Yagii et al teaches use of molybdenum and tungsten catalysts to decompose a polyurethane into an isocyanate. That is, the molybdenum or tungsten compound is **not present** during the formation of the polyurethane. Rather, Yagii et al adds the tungsten or molybdenum compound to the already-formed polyurethane in order to decompose that polyurethane to the corresponding polyisocyanate. The polyisocyanate thus generated is then separated from the molybdenum or tungsten or manganese-containing solvent before being re-used to produce a polyurethane with a tin or tertiary amine catalyst.

Contrary to the teaching of Yagii et al, Appellants' invention requires that the molybdenum and/or tungsten compound be present in the polyurethane-forming reaction mixture.

Since neither Watanabe nor Yagii et al teaches or suggests that a molybdenum and/or tungsten compound should be present **during** polyurethane formation, no combination of teachings of those references would have led one skilled in the art to Appellants' claimed invention at the time Appellants made their invention.

The Examiner has maintained that Appellants' argument is not commensurate in scope with the present claims because no limitations have been set forth requiring the catalyst to influence only the urethane reaction (page 7, lines 16-18 of the Examiner's Answer).

Appellants respectfully disagree.

The present invention is directed to **polyurethane-based** one-component baking systems. The "reaction" which occurs in such systems is necessarily a reaction between the components of that polyurethane-based system, i.e., the blocked polyisocyanate and the polymer having isocyanate-reactive groups.

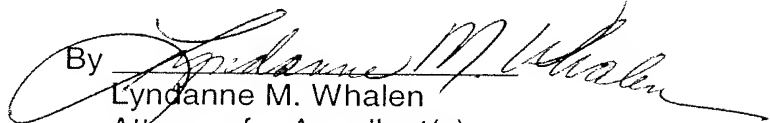
Appellants therefore maintain that one skilled in the art would not consider it obvious to include a catalyst which decomposes polyurethanes in a system intended to produce a polyurethane.

For these reasons and those discussed in their Brief, Appellants continue to maintain that the teachings of Watanabe and Yagii et al can not be properly combined in any manner which would have rendered the claimed invention obvious to one skilled in the art at the time Appellants made their invention.

Appellants therefore submit that the Examiner's rejection is in error and respectfully request that this rejection be reversed and that Claims 1, 3, 5-8, 14-18, 22-24 and 29-37 be allowed.

Respectfully submitted,

Bayer MaterialScience LLC
100 Bayer Road
Pittsburgh, Pennsylvania 15205-9741
(412) 777-3843
FACSIMILE PHONE NUMBER:
(412) 777-3902

By 
Lyndanne M. Whalen
Attorney for Appellant(s)
Reg. No. 29,457

LF/WHALEN/lmw203